REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and following remarks.

Amendments to Claims

Claims 1-74 were originally filed in the application, with claims 2-74 being canceled with the filing of this continuation application.

Claim 1 is now canceled and new claims 75-80 are being added. New Claim 75 parallels issued Claim 1 of U.S. Patent No. 6,492,372 ('372 patent) with the exception that this claim is drawn to compounds wherein the carbamate moiety on the phenylalanine moiety is defined as opened to *ortho*, *meta* or *para* substitution, whereas Claim 1 in the '372 patent is drawn to compounds wherein the carbamate functionality on the phenylalanine moiety is only in the *para* position of the phenyl group.

Support for the new claims can be found, for example, at pages 33, line 26 – page 34, line 16; Table I on page 71; Table II on page 72; Table III on page 78; and Table IV on page 79, which clearly depict and describe structures in which the R^9 group (or equivalent groups labeled $R^{9'}$ or R^{19}) is attached to the base phenyl group but not required to be in a particular position (*i.e.*, *ortho*, *meta*, or *para* positions).

Accordingly, no new matter has been added by these amendments and entry is believed to be proper.

New Claim 76 merely claims formula B recited in Claim 75.

New Claim 77 recites that $R^{4''}$ is hydrogen, which is included in the Markush group of Claim 75.

New Claims 78-80 recite pharmaceutical compositions as found at page 144, lines 18 *et seq.* as well as in originally presented Claims 51 and 60.

New Claims 81-83 correspond to methods, which correspond to originally presented Claims 1 and 11 and which further corresponds to the specific pharmaceutical compositions recited in now presented Claims 78, 79 and 80.

No new matter has been entered.

Entry of these amendments is earnestly solicited.

In view of the above, Claims 75-83 are now in this application.

Amendments to Inventorship

Enclosed herewith is an amendment submitted under the provisions of 37 C.F.R. §1.48(b) requesting that joint inventors Ashwell, Welmaker, Kreft, and Sarantakis be deleted from this application as their contribution is no longer claimed.

Objection and Filing Receipt

The specification was objected to because a paragraph setting forth the relevant priority data was not included. The above amendment presumably obviates the rejection.

Applicants request that the Patent Office issue a Corrected Filing Receipt showing the correct priority data.

Obviousness-type double-patenting rejections

(A) Claim 1, now canceled, was rejected under the judicially-created doctrine of obviousness-type double patenting, in view of the parent application, 09/489,377, filed January 21, 2000 (now issued U.S. Patent No. 6,492,372). Applicants enclose herewith a terminal disclaimer that obviates this rejection.

(B) Claim 1, now canceled, was also rejected under the judicially-created doctrine of obviousness-type double patenting, in view of the parent application, 10/251,442, filed September 20, 2002 (now allowed). The cancellation of claim 1 and addition of new claims 75-83, presumable obviates the rejection. The new claims in the instant application are drawn to drawn to pyrimidine compounds, while the claims allowed in 10/251,442 are drawn to pyrazine compounds.

Withdrawal At least for the above reasons, both rejections under the judicially-created doctrine of obviousness-type double patenting should be withdrawn.

Rejections under 35 U.S.C. § 112, second paragraph

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, for the reasons noted in the Office Action. For the following reasons, this rejection is traversed-in-part and obviated-in- part.

First, this rejection is obviated-in-part as it relates to Claim 75 as this claim employs the term "or" rather than the objected to term "and".

Second, this rejection is obviated-in-part as it relates to Claim 75 as this claim does not recite the objected to binding affinity to VLA-4.

Third, this rejection is obviated-in-part as it relates to Claim 81 as this claim clearly specifies that administration is to the patient.

Fourth, this rejection is traversed-in-part as it relates to the allegation that its failure to recite the exact procedure or step of administration raises an indefiniteness issue and potentially an enablement issue. Applicants note that Claims 81-83 recite treating inflammation mediated by VLA-4 in a mammalian patient by administering a compound of Claims 75, 76 or 77 respectively to the patient. There is nothing indefinite or ambiguous about this language and, accordingly, Applicants submit that this rejection is not germane to now presented Claims 81-83.

Withdrawal of this rejection is requested.

CONCLUSION

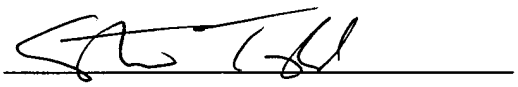
Applicants believe that the present application is now in condition for further examination and allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date: January 13, 2005

By 

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